

REMARKS

This application has been carefully reviewed in light of the final Office Action dated July 11, 2006. Claim 39 has been cancelled herein, without prejudice or disclaimer of subject matter. Claims 1 to 20, 22 to 29, 38, and 40 to 46 remain in the application, of which claims 11 to 20, and 22 to 29 are withdrawn from consideration. Claims 1, 5, 8, 10, 38, and 43 to 45 have been amended. Claims 1 and 38 are the independent claims which remain under consideration. Reconsideration and further examination are respectfully requested.

Initially, claims 5, 8, 10, and 43 to 45 have been amended herein to correct minor editorial errors, and for consistency with the newly-amended independent claims. No new matter has been added.

In the Office Action, the specification was objected to for allegedly failing to provide antecedent basis for the feature of a “block configurator,” (claims 1 and 39) and a “block processor” (claim 38). As indicated above, claim 39 has been cancelled, without prejudice or disclaimer of subject matter, and without conceding the correctness of the objection. Furthermore, claims 1 and 38 have been amended herein to further comport the substance of a block configurator and a block processor with the originally-filed disclosure. Specifically, the feature of a “block configurator configured to save block types to a block database, generate an application object from the saved block types, effectuate transfer of the application object file to the block processor and effectuate creation of the application objects from the application object files” is found throughout the disclosure, including at least page 12 of the specification, and FIGS. 1 and 2. The feature of a “block processor” is found throughout the disclosure, including at least pages 9 to 12 of the specification, and FIGS. 1 and 2. Withdrawal of the objection to the specification and further examination are respectfully requested.

Claims 1 to 10 and 38 to 46 were rejected under 35 U.S.C. § 112, ¶ 2 as allegedly being indefinite. Specifically, the Office Action alleged that the features of a “remote collector” and a “block configurator,” as previously claimed, lacked antecedent basis. As indicated above, claim 39 has been cancelled herein, without prejudice or disclaimer of subject matter, and without conceding the correctness of the rejection. Additionally, claims 1 and 38 have been amended herein to further comport the features of a “remote collector” and a “block configurator” with the

disclosure. Support for these features is found throughout the disclosure, including at least pages 9 to 12 of the specification, and FIGS. 1 and 2. Withdrawal of the rejection and further examination are therefore respectfully requested.

Finally, the Applicant notes Examiner Jarrett's effort to interpret several claim terms in light of the "Microsoft Computer Dictionary, Fifth Edition." The Applicant merely reminds the Examiner that it is the use of the words in the context of the written description and customarily by those skilled in the relevant art that accurately reflects both the "ordinary" and the "customary" meaning of the terms in the claims. See Ferguson Beauregard/Logic Controls v. Mega Systems, 350 F.3d 1327, 1338, 69 USPQ2d 1001, 1009 (Fed. Cir. 2003) (Dictionary definitions were used to determine the ordinary and customary meaning of the words "normal" and "predetermine" to those skilled in the art. In construing claim terms, the general meanings gleaned from reference sources, such as dictionaries, must always be compared against the use of the terms in context, and the intrinsic record must always be consulted to identify which of the different possible dictionary meanings is most consistent with the use of the words by the inventor.); see also MPEP § 2111.01(III). In this regard, in the absence of either an examination of the context of the written description or evidence of the customary use in the art, the Applicant disagrees with both the propriety and correctness of the purported dictionary definitions.

Accordingly, based on the foregoing amendments and remarks, independent claims 1 and 38 are believed to be allowable. The other rejected claims in the application are either withdrawn from consideration, or are each dependent from the independent claims and are believed to be allowable for at least the same reasons. Because each dependent claim is deemed to define additional aspects of the disclosure, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

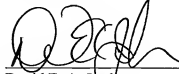
Applicant : Invensys Systems, Inc.
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Fees in the amount of \$1,020.00 for the three-month Petition for Extension of Time are being paid herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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